

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6760

BILL NUMBER: HB 1540

NOTE PREPARED: Feb 18, 2003

BILL AMENDED: Feb 17, 2003

SUBJECT: Use Model State Vital Statistics Act for Security.

FIRST AUTHOR: Rep. Welch

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill adopts privacy standards for disclosure of information contained in vital statistics. The bill requires the State Department of Health to adopt rules for inspections of vital statistics for genealogical studies and by the news media. The bill also makes conforming changes.

Effective Date: July 1, 2003.

Explanation of State Expenditures: (Revised) The State Department of Health may adopt rules to specify who may obtain copies of vital records. In addition, the bill includes exemptions for people conducting genealogical studies as well as a person acting as a representative of the news media, and requires the Department to adopt rules accordingly. It is assumed that the Department can adopt rules with current staff and resources.

Background: Certified copies of vital records from the state are restricted to certain individuals currently. Eligibility differs for birth and death certificates.

State Issuance of Birth Certificate: The following individuals are eligible to receive a certified copy of a birth certificate: individual named on the certificate; mother of the individual; father (if named, married to mother or paternity established); grandparents (if parents of the individual were married at the time of birth); legal guardian; brothers or sisters (if both parties are over 21 years of age); aunt or uncle (if parents of the individual were married at the time of birth); spouse of the individual; and son, daughter, or grandchild (21 years of age).

State Issuance of Death Certificate: The following individuals are eligible to receive a certified copy of a

death certificate: parents, spouse or life partner, adult children, grandparents, siblings, aunts or uncles, direct descendants (grandchildren, great-grandchildren, etc.), children of aunts or uncles, other family members (cousins) - unless the record is 75 years old or older, distant relatives may only receive a copy with the approval of the State Registrar.

Local Issuance of Certificates: Under current law a local health officer shall provide a certification of birth, death, or stillbirth registration upon request by any person only if the health office is satisfied that the applicant has a direct interest in the matter; the health office determines that the certificate is necessary for the determination of personal or property rights or for compliance with state or federal law; and the applicant for a birth certificate presents at least one form of identification. The decision whether to issue or not issue a certified copy of a birth certificate is subject to court review. In addition, the officer may not issue a copy of a birth certificate of a missing child without approval. Individuals that do not meet the criteria for certified copies of certificates may receive non-certified copies of vital records from local offices.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues: The bill may reduce the number of certificates, and associated revenues, issued by local health departments. This bill implements uniform standards for issuance of birth and death certificates. Under current law, county health departments have separate standards from the State Department of Health. The standards for counties are less restrictive and allow more individuals to receive copies of birth and death certificates than state standards. This bill applies stricter requirements for county health department issuance of birth and death certificates. Due to the changes in this bill, the county departments may issue fewer certificates and as a result collect less revenue from fees. Current county fees for birth and death certificates range from \$2 to \$10, depending upon county. The number of certificates issued annually is unknown. The reduction in certificates that will be issued is unknown.

State Agencies Affected: State Department of Health.

Local Agencies Affected: Local Health Departments.

Information Sources: Janet Westendorf, Treasurer, Indiana Vital Records Association, Inc., 260-449-3503; Barbara Stultz, Indiana State Department of Health, 317-233-7523.

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